



City of Ann Arbor

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Ann Arbor, MI 48104
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Council Action

Resolution: 18-2188

File Number: 18-2188

Resolution to Approve the Purchase of a Conservation Easement on the Lepkowski Property in Northfield Township and to Appropriate \$478,867.00 (**8 Votes Required**)

Whereas, Chapter 42 of Ann Arbor City Code establishes the Greenbelt District and authorizes the City to purchase conservation easements on property within the district with Open Space and Parkland Preservation Millage proceeds;

Whereas, Chapter 42 of Ann Arbor City Code specifically authorizes City Council to enter into agreements for joint acquisition of land in the Greenbelt District with other government agencies;

Whereas, The fair market value for the conservation easement was determined by an appraisal as required by Section 1:320 of the Ann Arbor Code;

Whereas, The City has secured a USDA ACEP grant that may be applied to reimburse up to 50% of the appraised fair market value for the purchase of a conservation easement on the Lepkowski Property;

Whereas, Sufficient funds are available in the Open Space and Parkland Preservation Millage proceeds for this expenditure; and

Whereas, The Greenbelt Advisory Commission approved a motion recommending approval of the purchase at its December 6, 2018 meeting;

RESOLVED, That City Council approves the purchase of a conservation easement on the approximately 75-acre Lepkowski Farm located along Spencer Road in Northfield Township for a price not to exceed \$5,700.00 per acre;

RESOLVED, That the total purchase price for the conservation easement may be adjusted based upon the acreage determined by survey subsequent to this resolution, provided that the total expenditure for the project shall not exceed the amount appropriated in this resolution;

RESOLVED, That approval of the purchase is contingent upon the approval by City staff, ACEP, and all entities participating in the purchase of the following:

- The appraisal;
- An environmental site assessment of the property;
- A survey of the property;
- Conveyance of good and marketable title to the conservation easement; and
- Agreement to the terms and conditions of the conservation easement;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute a purchase agreement with the owner of Lepkowski Farm reflecting the requirements of this resolution, after approval as to form by the City Attorney and as to substance by the City Administrator;

RESOLVED, That the City Administrator be authorized to execute all other documents necessary to complete this purchase after approval as to form by the City Attorney; and

RESOLVED, That \$478,867.00 be appropriated for this purchase from the Open Space and Parkland Preservation Millage proceeds for the life of the project without regard to fiscal year, including closing, incidental, and endowment costs.

At a meeting of the City Council on 1/7/2019, a motion was made by Julie Grand, seconded by Kathy Griswold, that this Resolution be Approved. The motion failed.

Yeas: 4 Mayor Taylor, Councilmember Grand, Councilmember Ackerman, and Councilmember Hayner

Nays: 7 Councilmember Lumm, Councilmember Eaton, Councilmember Smith, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson, and Councilmember Ramlawi